(4) (1)

IN THE HIGH COURT OF JUDICATURE, AT BILASPUR (C.G.)

WRIT PETITION NO. 93 /2006

PETITIONER : Om Prakash Singh S/O Late Shri S. P. Singh aged about 41 years. Ex-Constable C.I.S.F. R/o B/7/6/3 Bhilai Steal plant Bhilai, District - Durg (C.G.)

VERSUS

RESPONDENTS

1. Union of India
   Ministry of Home Affairs
   Through the Director General
   Central Industries Security Force,
   Block no.13 CGO Complex Lodhi
   Road New Delhi 110003.
2. The Inspector General
   North Sector, Central Industries
   Security Force, Saket New Delhi.
3. The Deputy Inspector General
   Central Industries Security Force,
   Sector 3 B.S.P. Unit Bhilai District
   Durg (C.G.)
4. The Commandant
   (Appointing Authority)
   Central Industries Security Force,
   Sector 3 B.S.P. Unit Bhilai District
   Durg (C.G.)
5. The Deputy Commandant
   (Enquiry Authority)
   Central Industries Security Force,
   Sector 3 B.S.P Unit Bhilai District
   Durg (C.G.)

P.R. No. 06/06
Presented by Shri Suresh Tandan
dated 21/06

OATH COMMISSIONER
APARNA MURTY
CC-2073/96
19/12
Bilaspur Chhattisgarh

(5) (2)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(64)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 93 of 2006

Petitioner : Om Prakash Singh

Versus

Respondents : Union of India & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Present: Shri F.S. Khare, Advocate for the petitioner.
Ms. Sharmila Singhai, Advocate for the respondents.

ORDER

(Passed on 8th Day of January, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner was prosecuted for having committed offence punishable under Section 307 of the Indian Penal Code before the Chief Judicial Magistrate, Bilaspur. The petitioner was acquitted, by order dated 28-2-2004 (Annexure P-4).

2. Learned counsel appearing for the petitioner has heavily relied on the decision of the Supreme Court in the case of ***G.M. Tank vs. State of Gujarat & Ann.***[1].

3. The respondents are accordingly directed to consider and decide the case in the light of the decision of the Supreme Court in the case of ***G.M. Tank vs. State of Gujarat &***

(65)

Anr. (Supra), within a period of four weeks giving opportunity of hearing to the petitioner.

4. In view of the foregoing reasons, this writ petition is accordingly disposed of. No order as to costs.

Certified copy as per Rules.

Sd/-
S.K. Agnihotri
Judge

Subhash

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1. (2006 AIR SCW 2709)